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3 **UNITED STATES DISTRICT COURT**

4 **DISTRICT OF NEVADA**

5 ***

6 John Doe 432,

7 Plaintiff,

8 vs.

9 Alejandro Mayorkas, et al.,

10 Defendants.

Case No 2:23-cv-00432-RFB-VCF

ORDER

Motion To Proceed Under Pseudonym and for a
Protective Order (ECF No. 2)

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12 Pro se plaintiff John Doe 432 has not filed a complaint, paid the filing fee, or filed an application
13 to proceed in forma pauperis. ECF No. 1. Plaintiff only filed a motion asking the Court to allow him to
14 proceed using a pseudonym. ECF No. 2. I deny plaintiff's motion without prejudice.

15 To proceed without paying the standard filing fee, 28 U.S.C. § 1915 and LSR 1-1 of the Local
16 Rules of Practice require that a litigant must submit the court's form IFP application and supporting
17 documents. If plaintiff wishes to commence this action, he must (1) file a complaint AND (2) file an
18 application to proceed in forma pauperis on the Court's approved form and file it in this case OR pay the
19 filing fee by Wednesday, May 3, 2023. Plaintiff may also refile his motion to proceed using a
20 pseudonym if appropriate by Wednesday, May 3, 2023 as well.

21 Accordingly,

22 I ORDER that plaintiff's motion to proceed using a pseudonym (ECF No. 2) is DENIED
23 WITHOUT PREJUDICE.

24 I FURTHER ORDER that by Wednesday, May 3, 2023, plaintiff (1) must either file an IFP
25 application on the Court's approved form or pay the filing fee AND (2) he may also refile his motion to


1 proceed using a pseudonym if appropriate. Failure to comply may result in case closure or dismissal.

2 **NOTICE**

3 Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and
4 recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk
5 of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal
6 may determine that an appeal has been waived due to the failure to file objections within the specified
7 time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file
8 objections within the specified time and (2) failure to properly address and brief the objectionable issues
9 waives the right to appeal the District Court's order and/or appeal factual issues from the order of the
10 District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch.*
11 *Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Pursuant to LR IA 3-1, the plaintiff must immediately file
12 written notification with the court of any change of address. The notification must include proof of
13 service upon each opposing party's attorney, or upon the opposing party if the party is unrepresented by
14 counsel. Failure to comply with this rule may result in dismissal of the action.

15
16 IT IS SO ORDERED.

17 DATED this 3rd day of April 2023.

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19 CAM FERENBACH
20 UNITED STATES MAGISTRATE JUDGE
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